

May 3, 2005  
Case No.: AUS920000812US1 (9000/12)  
Serial No.: 09/731,629  
Filed: December 7, 2000  
Page 7 of 8

**-- REMARKS --**

Claims 1-26 remain under consideration. No new matter has been added with the amendments to claims 1, 13 and 23. Claim 27 has been added, and claim 10 has been cancelled. Claim 10 has been cancelled, not to avoid any reference, but to avoid payment of additional claims fees for the addition of claim 27, and Applicants maintain their claim to any and all equivalents of former claim 10. Support for claim 27 is found, *inter alia*, on pages 13-14 of the specification of United States Patent Application 09/731,629.

**The Examiner rejected claims 1-26 as anticipated under 35 U.S.C. §102(e) by Beelitz**

The §102(e) rejection of claims 1-26 is traversed. In order to maintain this §102(e) rejection, each and every element of the claimed invention must be disclosed in as great detail by the reference. Because the reference does not disclose each and every element, this rejection must fall.

Beelitz does not disclose, *inter alia*, wherein the target devices are persistently and concurrently in communication with the server by means of a network as claimed in claims 1, 13 and 23.

Withdrawal of the rejections to claims 1, 13 and 23 is requested. Claims 2-12, 14-22 and 24-26 depend directly or indirectly from claims 1, 13, and 23 respectively, incorporating the limitations of their respective independent claims, and therefore withdrawal of the rejections to these claims is also requested.

May 3, 2005

Case No.: AUS920000812US1 (9000/12)

Serial No.: 09/731,629

Filed: December 7, 2000

Page 8 of 8


**CONCLUSION**

The Applicants respectfully submit that claims 1-27 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

Dated: May 3, 2005

Respectfully submitted,  
STEVEN M. FRENCH, *et al*

CARDINAL LAW GROUP  
Suite 2000  
1603 Orrington Avenue  
Evanston, Illinois 60201  
Phone: (847) 905-7111  
Fax: (847) 905-7113

  
\_\_\_\_\_  
Frank C. Nicholas  
Registration No. 33,983  
Attorney for Applicants